

## Central Valley Flood Protection Plan

# Meeting Summary

## Agricultural Stewardship Scope Definition

### Joint Subcommittee Meeting #1

***October 20, 2009, 10:00 am – 2:00 pm***

***Location: California Farm Bureau Federation***

***2300 River Plaza Drive, Sacramento, CA 95833***

***First Floor Conference Room***

#### ATTENDED:

Name	Organization	Status
Anderson, Ray	Retired Farmer	Member
Berry, Julia D.	Madera Farm Bureau	Member
Bonea, Ryan P.	Sutter County RCD; Yuba County RCD	Member
Bruce, Todd William	Dutra Group, Solano/Yolo Air Resources Control Board	Member
Canevari, Mick	University of California Cooperative Extension	Member
Capuchino, S. Leo	City of Mendota	Member
Carey, Phil	DWR, Sacramento Maintenance Yard, DFM	Alternate (Eckman)
Chang, Joseph	DWR, Flood Maintenance Office, DFM	Member
Ellis, Tom	Sacramento West Side Levee District, Land owners in the Colusa Basin, Member of the Board of Directors of Colusa County Farm Bureau	Member
Fredrickson, Justin	California Farm Bureau Federation	Member
Hildebrand, Mary	San Joaquin Farm Bureau, South Delta Water Agency Board, and California Central Valley Flood Association Board	Member
Lang, Kent	RD 537, RD 1000 O&M	Member
Martin, Mari	Resource Management Coalition	Member
Medders, Karen	North Delta CARES	Member
Pedrozo, Diana Westmoreland	Merced County Farm Bureau, California Women for Agriculture, East San Joaquin Water Quality Coalition, San Joaquin Valley Clean Energy organization, Merced Council for the Central Valley Farmland Trust	Member
Richter, David	Sutter Basin grower	Member
Sakato, Max	Reclamation District No. 1500	Member
Sevelius, Pia	Butte County RCD	Member
Sutton, Susan	SAS Strategies, rice farming	Member
Taylor, William J.	Bureau of Reclamation	Member
Van Ruiten, Anthony	Van Ruiten Brothers	Member
Wallace, William Jr.	Landowner	Member
Bartlet, Joe	DWR	CVFPO Alternate
Kirby, Ken	Kirby Consulting Group	CVFMP Executive Sponsor
McManus, Dan	DWR	DWR Lead
Ng, Michele	DWR	CVFPO

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Bishop, Erica	MWH Americas	Team
Moyle, Craig	MWH Americas	Facilitation Lead
Putty, Roger	MWH Americas	Technical Lead
Tollette, Alexandra	MWH Americas	Team

### ABSENT:

Blodgett, Bruce	San Joaquin County Farm Bureau	Member
Eckman, Russell	DWR, Sacramento Maintenance Yard, DFM	Member
Fisher, Kari	California Farm Bureau Federation	Member
Miramontes, Tim	Yolo County Farm Bureau; California Rice Commission; California Farm Bureau Rice Advisory Committee; Yolo County (Yolo Bypass and District 108 areas)	Member
Perrone, Michael	DWR	Member
Rabone, Geoff	Merced Irrigation District	Member
Roscoe, Terry	California Department of Fish and Game	Member
Scheuring, Chris	California Farm Bureau Federation	Member
Zezulak, David	California Department of Fish and Game	Member
Hester, Gary	DWR, CVFPO	

### OBSERVED:

Doherty, Ladybug	CVFPB
Pegos, David	California Department of Food and Agriculture

### ACTION ITEMS:

#### SUBCOMMITTEE MEMBERS

1. Send any additional comments on draft problem statements to program team
2. Work with program team to schedule next subcommittee meeting

#### PROGRAM TEAM

1. Revise agricultural stewardship definition and circulate for subcommittee review
2. Develop Central Valley agricultural benefits for subcommittee review
3. Compile comments/questions
4. Summarize major comments received and present draft problem statements
5. Schedule next meeting

### MEETING OVERVIEW

During this first meeting of the Agricultural Stewardship Scope Definition (AGSD) Joint Subcommittee, the subcommittee discussed its mission in relation to developing the Regional Conditions Summary Report; reviewed and commented on potential draft definitions for “agricultural stewardship”; brainstormed the range of benefits agriculture contributes to California and to Central Valley flood protection; reviewed draft problems and opportunities relevant to agriculture as developed by regional work groups; and, began the process of scheduling the subcommittee’s next meeting.

## MEETING GOALS

1. Confirm the group's charter and membership
2. Clarify the relationship of the subcommittee to the Regional Conditions Summary Report (RCSR)
3. Define "agricultural stewardship"
4. Review the Problem and Opportunity statements developed by the Regional Conditions Work Groups
5. Preview the goals, principles, and objectives for integrating agricultural issues into the Central Valley Flood Protection Plan (CVFPP) development process

## SUMMARY

### Welcome, Greetings, and Introductions

Craig Moyle welcomed the group and announced that Ken Kirby will be delayed. He provided a meeting overview and explained the handouts and other material contained in attendees' folders. Dan McManus reviewed the meeting agenda and goals.

### Opening Remarks from the Project Executive Leadership

Standing in for Mr. Kirby, Michele Ng presented the CVFPP and Central Valley Flood Management Planning (CVFMP) program for the benefit of participants new to the process and as a refresher for those already involved in a work group. She walked through plan development team and its related products. The subcommittee was advised of the information available on the SharePoint site ([www.teamfloodsafe.net/CVFPPworkgroups](http://www.teamfloodsafe.net/CVFPPworkgroups)) for their review.

**Q:** You frequently mention increasing urban flood protection as part of this process; what about rural flood protection?

**A:** The authorizing legislation for this plan doesn't include rural flood protection. It can only be added through passing new legislation that would amend the requirements of this plan. **Follow-up:** The authorizing legislation for the CVFPP addresses all aspects of flood management, including improving flood protection for rural areas. The associated 2007 flood legislation also includes many new requirements and regulations for urban development as part of increasing flood protection. The agricultural community may not wish their activities to face the same constraints.

### Introduction to AGSD: Charter review and deliverables, role in the Regional Conditions Summary Report, and Q&A

Mr. McManus gave a brief presentation on how work group content feeds into the RCSR, the Compilation of Management Actions Report (CMAR), and the CVFPP. He reviewed the subcommittee's charter and described the subcommittee as a way to review the problems and opportunities already identified to ensure they capture concerns of the agricultural community. He explained the differences between "goals" (over-arching desires and values), "principles" (how we do business), objectives (what we wish to accomplish) and measures of success. The AGSD

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group will wait until meeting 2 to refine/review goals and objectives because other work groups are currently reviewing them. He presented the timeline for subcommittee activities in relation to the overall RCSR schedule; the products of the AGSD subcommittee will be integrated into chapters 3 and 4 of RCSR, primarily.

Mr. Moyle opened the floor to questions and he, Mr. McManus, Roger Putty, and Central Valley Flood Planning Office (CVFPO) representatives responded to a number of attendee comments and questions which are summarized below. Mr. Kirby arrived and joined the discussion as well.

**Q:** Some of the agricultural data and information included in the current RCSR documents available for review is from 2002 and doesn't reflect today's market. Why is this data used and not that which is available for 2008?

**Comment:** The document also doesn't provide an accurate account of fish screen technology or the number of fish screens in use by farms.

**A:** We will look into this and report back to you. This information is addressed in the current draft and will soon be available for work group review.

**Q:** How will we ensure that there is funding available to update this immense collection of information every five years?

**A:** Proposition 84 and 1E provides funding for planning and implementation of flood improvements, but we know this is only a down payment on future activities. The 2006 bond language and the 2007 legislation acknowledge there will need to be additional funding sources for cost sharing, implementation, etc. This comment has come up before, and will be addressed in upcoming responses to questions, which should be available for the next meeting of this group.

**Q:** There seems to be a lack of a complete understanding of the area's history, both pre- and post-agricultural development, and also of how water management and flood control decisions were made. Is there a definitive reference document available?

**A:** This is echoed all over the valley; there's a history document now in development that will be available.

### **Group Discussion: What is Agricultural Stewardship?**

Mr. Moyle introduced the agricultural stewardship purposes and definition handout and explained that it was developed based on points the farm and ranch community and work group members felt were important to acknowledge; these comments helped frame definition elements. These starting point proposed definitions, and other issues of concern to the agricultural community, were part of an extended group discussion.

#### **Member feedback regarding the "Purposes and Definitions" handout:**

- The definition should focus on the importance of allowing agricultural production to continue, and to thrive. Our first priority is our economic viability, and that means protecting private land to function as a business and to produce food.
- The definition should not read as if to imply that farmers and ranchers will need to just comply with more regulations.

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- Private land ownership should be recognized as an important value; this is where stewardship already occurs.
- Environmental services farmers provide should be recognized.
- Benefits provided to the public by farmers and ranchers are not limited to environmental benefits; they also include groundwater recharge, food, economic viability and jobs. Either definition should be amended to include “compatible environmental and other broad public benefits.”
- Businesses like farming turn a profit that allows provision of public benefits to society.
- The public views domestic agricultural production as part of national security.
- The potential for rural economic calamity due to floods needs to be reflected here.

### **Other member comments regarding the nexus of agriculture and flood control**

I think you’re looking to us to pick up the pieces for poor land use planning and development in floodplains. We’re looking for the flood protection necessary to allow us to continue.

The regulations we comply with are expensive—we don’t disagree with some environmental regulations, but they don’t leave much money for levee maintenance.

If we could remove vegetation from floodways we wouldn’t have to repair so much of the levees because water could flow through freely. If a bypass is clogged, it’s going to flood. So let’s clean out the bypasses and put habitat outside the levees by obtaining a 4d exemption.

Agriculture needs to maintain the ability to respond to market forces. If we recommend solutions based on current commodities, we may get locked in to a system that won’t work down the line.

To make the plan work, in terms of agriculture, you have to get very local with communities and commodity groups; different crops have different abilities to accept flood waters; commodities, general plans, and regional watershed issues as a whole will determine how flood protection should be handled.

### **Use of the term “stewardship” in Agricultural Stewardship**

After indicating concern over the connotation of “stewardship” in relation to “Agricultural Stewardship,” subcommittee members were asked whether it should be removed. There was no universal agreement whether to remove or maintain. Some noted that the concept needs to be framed as protection of rural areas, and provision of other associated values, using public funds. Convincing people that there’s more in rural communities besides food production is key, because focusing on economics alone won’t save your farm or agriculture production. Be careful on drawing lines—we’re very connected to urban areas and we need to be aware of that.

### **Additional subcommittee member comments**

The trend looks like “where can we flood you to provide urban flood protection or benefit habitat to offset urban sprawl?” We get the brunt of that without any compensation. We’re worried about our flood protection being reduced. We want more storage and more flexibility in managing flood waters.

We should be aware of the limitations associated with choosing specific points in history or “baseline” when discussing the need for restoration and/or maintenance activities. Using today’s conditions as a baseline would be unwise because the system’s current state differs substantially from the conditions and associated maintenance protocol of the original design. However, it is possible that we will also constrain ourselves by choosing another point in time to use as baseline conditions. There are implications of any choice and it’s important to be aware of them.

### Discussion of the benefits of agriculture to flood protection

Mr. Moyle led the group in a recap of the public benefits they believed agriculture provided, in general and related to flood protection.

Benefit	Flood Protection Benefit	Benefit	Flood Protection Benefit
Food/fiber		Produces crops that can take flooding	X
Jobs		Levee maintenance and funding	X
Green space	X	Prevents invasive/non-native species	
Tax revenue		Stop spread of plant disease	
Environment/habitat	X	Air quality	
Lands stewardship		Carbon sequestration	
Groundwater recharge	X	Water recirculation	
National security		Livestock grazing in watershed/channel	X
Flood protection to urban areas	X	Installation/maintenance of fish screens	X
Compatible with the environment		Flood buffer	X
Water quality		Ag in bypass system benefits fish	X
Recreation	X		

### Review Problems and Opportunities

Mr. Putty reviewed the process used to develop list of problems and opportunities in work groups, highlighting the importance of capturing both the common, agreed-upon problems but also the problems on which there isn’t broad agreement. He requested that the AGSD group review/refine draft the problem statements handed out to determine if they omit considerations or issues important to the agricultural community. Subcommittee members split into two groups to review problem statements. Problems and opportunities identified in the breakout groups which were not already submitted in regional workgroups are captured below.

#### Problems:

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- Insufficient funding for maintenance activities allows vegetation growth in floodways, which subsequently becomes habitat. When funding for original maintenance becomes available, much of it is spent on the studies and mitigation now required for removing the habitat.
- Flood management includes preparedness; flood fighting, and recovery. All three phases should be addressed by the CVFPP.
- Effective flood management is hindered by a lack of leadership and by public agencies' and public officials' unwillingness to accept responsibility for flood preparedness and for levee conditions.

### Opportunities:

- Improve review of future encroachment permits to ensure consistency with system objective
- Increase frequency of inspection and enforcement of encroachment permit violations
- Consider revised floodplain management policies which permit continued viability of rural communities
- Develop mitigation banks eliminating need for individual mitigation site establishment
- Update SRFCP O&M Manual to reflect current laws, regulations, and policies
- Limit impact of USACE Section 408 by reducing the number of projects which qualify

Max Sakato also provided his breakout group and members of the technical support team with two draft documents containing flood management problems, opportunities and issues of concern for members of Central Valley agricultural communities (attached).

**Comment:** On operations and maintenance, there are agricultural ditches too close to levees, which can compromise their performance. Thousands of pipe infiltrations are abandoned and/or haven't been inspected for many years. Maintenance roads have been blocked by farm equipment and firewood is piled up next to the levees. Some farms cultivate up to the toe of the levee, which also affects its integrity.

### **Recap/ Adjourn**

Before the group adjourned, Mr. Moyle requested that they provide potential dates for the next meeting. Two suggestions were for Nov. 5 and Nov. 9. Mr. Moyle will poll the full group and absentees electronically.

### **ATTACHMENTS:**

**Sacramento Valley Flood Control Action Workgroup Draft Problems and Opportunities List**  
**Sacramento Valley Flood Control Action Workgroup Agricultural Issues Document**

*For more information and copies of meeting materials, see the CVFMP website at:*

<http://www.water.ca.gov/cvfmp>.

# **SVFCAWG Draft Problems & Opportunities List**

April 29, 2009

## **Public Safety & Welfare**

- 1) Review current flood emergency procedures for potential updates and improvements, and improve emergency communications capability throughout the system
- 2) Identify project deficiencies and prioritize those for rehabilitation
- 3) Increase the intensity and frequency of channel and bank maintenance within the system
- 4) Consider re-operation of reservoirs to further reduce peak flows
- 5) Improve maintenance of the bypasses to ensure ability to pass design flow (the current conveyance capacity of the bypasses should be assessed as well as future impacts, such as concept proposals for the Yolo Bypass by the BDCP)
- 6) Ensure Delta water management, habitat and alternative conveyance proposals do not degrade system performance
- 7) Improve review of future encroachment permits to ensure consistency with system objective
- 8) Increase frequency of inspection and enforcement of encroachment permit violations

## **Sustainability**

- 1) Establish programmatic system-wide permits to cover maintenance activities
- 2) Consider revised floodplain management policies which permit continued viability of rural communities
- 3) Develop mitigation banks eliminating need for individual mitigation site establishment
- 4) Create process for the beneficial reuse of sediment (material management planning)
- 5) Revise current vegetation management policy to coincide with current regulatory requirements (such as those being developed by the USACE, the "Round Table" and the "Framework")

## **Project Implementation**

- 1) Seek system modifications to solve existing problems while increasing performance or integrating other project purposes.
- 2) Develop tiered design standards that recognize the difference between urban, rural, and agricultural levees
- 3) Consider implementation of a Sacramento Valley "subventions-like" program to assist rural and agricultural areas in levee rehabilitation projects (including cost-sharing or funding)



- 4) Update the USACE guidance associated with economic analysis to accurately reflect actual values for flood damage and recovery costs.
- 5) Limit impact of USACE Section 408 by reducing the number of project which qualify
- 6) Modify (or tier) inspection criteria based on levee type (urban, rural, agricultural)
- 7) Equitably distribute funds for concurrent urban, rural, and agricultural levee improvements
- 8) Update SRFCP O&M Manual to reflect current laws, regulations, and policies
- 9) Apply cost-sharing requirements aligned with the potential local sponsors ability to pay

**DRAFT 10-20-2009**

## **Sacramento Valley Flood Control Agricultural Issues Talking Points**

The following list provides an initial outline of the “talking points” important for the agricultural communities and production areas that the Sacramento Valley Flood Control Action Workgroup (SVFCAW) submits and strongly believe should be included for consideration through the Central Valley Flood Management Planning Program (CVFMPP) in producing the Central Valley Flood Protection Plan (CVFPP). The current level of flood protection to agricultural areas needs attention and improvement and the existing management plans for levees and channels is not sustainable. The lessons of Katrina and new demands on flood control protection and management for the State have created new challenges in this regard. There are potential serious consequences to rural areas if a flood protection plan is implemented under the CVFPP without addressing the points listed below.

### **How do we develop a CVFMPP that does not:**

- reduce and/or restrict property values,
- effect farmers’ ability to secure loans for land purchase, operating, and capital expenses,
- reduce and/or restrict tax base for public local and State government programs and benefits,
- limit interest or investment in capital items and infrastructure,
- increase the cost to operate farms and produce crops,
- limit the selection of crop production alternatives,
- prevent established communities being economically vibrant,
- does not lead to critical ecosystem degradation,
- reduce the availability of farming and crop insurance,
- effect the ability to meet qualifications and requirements for Federal Farm Program benefits, and
- effect the primary consideration by buyers and marketers for the area’s crop production and supply reliability to meet their demands and needs.

With this in mind, the agricultural community is willing to consider innovative multi-objective floodplain management techniques, provided that planning and implementation is conducted in a collaborative and transparent manner that include acceptable trade-offs. Such specific techniques and tradeoffs may vary by regions in the State. We believe that flood protection and risk management for agricultural areas, rural communities<sup>1</sup> and urban areas should “get better together”. A more detailed and specific presentation of these talking points and more will be developed and shared in a “white paper” in due course.

Programs should be developed that provide incentives for rural communities and agricultural areas that voluntarily choose not to urbanize. These programs should reflect the value to the State’s economy of keeping large portions of the system in agriculture. These programs should

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<sup>1</sup> A clear definition is required for rural communities. For example, a method to define rural communities could be based on the presence of those communities on local (County) planning maps.

include assistance to rural communities and agricultural areas for emergency preparedness, communications, evacuation, and recovery.

Existing rural communities and agricultural areas should be allowed to grow in a manner sufficient to sustain the economic viability of agriculture in California. If rural communities decide to urbanize, however, they should be subject to the more stringent requirements for such areas.

We have outlined our issues more specifically as follows.

### **Economic Benefits of Agriculture to the Community – Local, State, and National**

- A viable agricultural industry is essential to the State's economy and particularly the rural communities within the Central Valley<sup>2</sup>.
- Central Valley agriculture, including the Sacramento Valley provides and supports reliable and inexpensive food and fiber production at the State, National, and global levels.
- The future of rural communities and the agricultural viability in the Central Valley is dependent upon the State's ability to plan a resilient flood control system that is managed in a sustainable manner.
- Agricultural communities and production areas should be valued more comprehensively and accurately in determining Benefit/Cost considerations for flood protection funding and assistance programs and levee maintenance, repair, and improvement considerations.

### **Standards**

- The State of California and its flood protection partners should implement flood protection and risk reduction measures that minimize the flood threat to human life as well as the threats to homes, property, and critical public infrastructure in urban and rural communities in a way that promotes the long term sustainability of agricultural and balances these needs with protecting and restoring the ecosystem.
- We should develop and adequately fund flood protection and risk management projects that support agricultural economic viability, minimize project life-cycle costs, and also consider compatibility with the ecosystem.
- The SRFCP was authorized to provide an equal level of protection in the system (designed to pass 1907 and 1909 floods). The system has become dichotomous as:
  - areas have urbanized,
  - incremental levee improvements have been implemented,
  - we have increased our understanding of levee failure mechanisms, and
  - the system hydrology and hydraulics have been updated.

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<sup>2</sup> The Central Valley of California provides approximately 25% of the US food supply, over 700,000 jobs in California are directly or indirectly supported by agriculture and approximately 22% of the US rice production is from California (the Sacramento region is the heart of the California rice industry.) Rice is one of the top 10 exports in the State with Japan being the top market. Rice is the most widely consumed grain in the world, it is the cheapest way to feed large masses of people and is a staple for over 2/3rds of the worlds' population.

- As a result of these items, the levee performance in the system is not consistent. Programs or system improvements should be developed that result in the development of an agricultural and rural community levee standard and levee improvement programs that bring the agricultural levees up to this minimum standard.
- It should be recognized that dependable agricultural food and fiber production is essential for national security.

## **Funding**

- A tiered level of flood protection will present challenges to agricultural areas. Funding mechanisms should be provided to address these challenges assuming a comparatively lower level of flood protection than urban and urbanizing areas.
- Reliable funding is essential for agricultural communities and areas to develop and implement flood management and recovery plans, store equipment, train community members in flood emergencies and fighting, and be provided funding for levee maintenance and repairs.
- A post flood recovery program should be developed that includes: how levees are repaired, dewatering is conducted, and critical infrastructure will be restored in an efficient and timely manner. This Program should include an element for compensating property owners for losses such as residences, crops, pumps, machinery, equipment, ancillary buildings, and support infrastructure. This plan should also look at third party impacts. The Program should define local, state and Federal responsibilities and identify respective funding programs or sources.

## **Federal and State Legislation**

- Consideration should be given to developing a new flood zone designation for agricultural areas and rural communities. This requires coordination with local governments and the State. Ideally the State would take the lead in advocating for this new zone. This will require an organized effort to educate decision makers on the ramification of being mapped in the 100-yr floodplain (i.e.; FEMA programs). This new zone is essential for the future viability of agriculture in the Central Valley.
- Consideration should be given to develop a State funded program to share insurance costs, develop flood resilience measures, and to comply with future building compliance issues for agricultural areas.
- Preservation of agriculture needs to be adopted as a public policy commitment similar to environmental concerns.

## **Habitat/Ecosystem**

- The magnitude and extent of ecosystem enhancement should not compromise flood management, public safety, or existing agricultural land uses and benefits (e.g.; unreasonable restrictions or requirements affecting existing conditions).

- Land, levee, and channel management plans for ecosystem enhancement areas must be produced prior to implementation<sup>3</sup>.
- Programmatic environmental permits should be developed for levee improvement and maintenance purposes that clearly define the mitigation requirements and provide for this function over future generations.
- It should be noted that existing farming practices provide viable terrestrial and water habitats (e.g.; rice, alfalfa) for the ecosystem (e.g.; Pacific Flyway).
- Flood management activities for many agricultural areas, including maintenance of levees by rural communities, also provide protections for habitat areas, including managed wetlands, National Wildlife Refuges, State Wildlife Areas and mitigation lands.

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<sup>3</sup> To address funding and resources, public access issues, potential impacts to adjacent lands, maintenance requirements in perpetuity, and safe harbor agreements.